IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59732 of 2026

CNR No. BRHC010861272026

Arising Out of PS. Case No.-290 Year-2026 Thana- RAMNAGAR District- West Champaran

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Sameer Khan @ Sameer Mahtab S/o Mahtab @ Jugnu R/o Village - Phulkaul, Police station - Ramnagar, District - West Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 72731 of 2026

CNR No. BRHC010861272026

Arising Out of PS. Case No.-290 Year-2026 Thana- RAMNAGAR District- West Champaran

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Lareb Khan Son of Niruddin Khan @ Nooruddin Khan Resident of Village - Chhaughariya, Police Station - Ramnagar, District - West Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 59732 of 2026)
For the Petitioner/s : Mr. Manoj Priyadarshi, Sr. Adv.
Mr. Vijay Kr Singh No. 1, Adv.
For the Opposite Party/s : Mr. Nagendra Prasad, APP
For the Informant : Mr. Ashok Kr. Mishra, Adv.
Mr. Milind Kr. Mishra, Adv.
(In CRIMINAL MISCELLANEOUS No. 72731 of 2026)
For the Petitioner/s : Mr. Manoj Priyadarshi, Sr. Adv.
Mr. Vijay Kr Singh No. 1, Adv.
For the Opposite Party/s : Mr. Nagendra Prasad, APP
For the Informant : Mr. Ashok Kr. Mishra, Adv.
Mr. Milind Kr. Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

4 04-11-2026 Heard, Mr. Manoj Piyadarshi, learned Senior Counsel along with Mr. Vijay Kr Singh No. 1, Advocate for the

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petitioners and Mr. Ashok Kumar Mishra along with Mr. Milind Kumar Mishra, learned counsel for the informant as well as Mr. Nagendra Prasad, learned APP for the State.

3. Since both the matters arise out of the same Police Station, they are being heard together and are being disposed of by this common order.

4. This is an application for regular bail to the petitioners who have been made accused in connection with Ramnagar P.S. Case No. 290 of 2026 registered for the offences punishable under Sections 103(1) & 3(5) of the BNS and under Section 27 of the Arms Act.

5. As per the prosecution case, the informant alleged that named accused persons called his brother to their house under a conspiracy, where criminals including the petitioners shot him in the head causing his death.

6. Learned counsel for the petitioners submits that petitioners are quite innocent, have committed no offence and have falsely been implicated in this case merely on suspicion based on village politics. It is submitted that during the course of investigation, no witness or statement, including the paragraph ‘92’ of the case diary, establishes that anybody saw the petitioners committing the crime, and the case rests entirely

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on vague suspicion. No incriminating article or weapon was recovered either from the possession of the petitioners or from their respective houses during police remand.

7. It is further submitted that petitioner, namely, Sameer Khan @ Sameer Mahtab has no criminal antecedent whereas petitioner, namely, Lareb Khan bears two criminal antecedents. Moreover, they are languishing in judicial custody since 05.05.2026. Charge-sheet has already been submitted in this case and the petitioners undertake to co-operate in the trial.

8. Learned A.P.P. appearing on behalf of the State as well as learned counsel for the informant on the other hand have vehemently opposed the prayer for bail of the petitioners. It is further submitted that the brother of the informant was murdered by the other three accused persons, who are professional killers, at the instance of the petitioners and another accused, namely, Raju Kha @ Mustak Kha, who had allegedly called them for the said purpose.

9. Learned counsel for the informant further submits that the prayer for bail of co-accused Raju Kha @ Mustak Kha has already been rejected vide order dated 28.08.2026 passed in Cr. Misc. No. 49036 of 2026, and the case of the present petitioners, being on similar footing, also deserves to be

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rejected.

10. It is further submitted that while rejecting the prayer for bail of the aforesaid co-accused in Cr. Misc. No. 49036 of 2026, this Hon'ble Court had taken note of the confessional statement of the co-accused, wherein it was stated that Raju Kha @ Mustak Kha had inflicted two gunshot injuries on the head of the deceased.

11. Considering the aforesaid facts and circumstances of the case, period of custody as also taking into consideration the fact that there is no allegation of inflicting gunshot injuries against the petitioners, rather, the said allegation is attributed to co-accused Raju Kha @ Mustak Kha, as also the fact that no incriminating article or weapon has been recovered either from the possession of the petitioners or from their respective houses, let the petitioners, namely, Sameer Khan @ Sameer Mahtab and Lareb Khan be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Bagaha, West Champaran/concerned court in connection with Ramnagar P.S. Case No. 290 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioners.

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(ii) the petitioners shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, they should physically appear in the court on that date.

(iii) if the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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